

CHAPTER 91

MOTORBOATS ON ARTIFICIAL LAKES

S.F. 174

AN ACT relating to the operation of motorboats on artificial lakes and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 462A.31, subsection 1, paragraph b, Code 1997, is amended to read as follows:

b. A motorboat equipped with any power unit mounted or carried aboard the vessel may be operated at a no-wake speed on all artificial lakes of more than one hundred acres in size under the custody of the department. However, on ~~Big Creek lake~~ and lake Macbride, a motorboat with a power unit exceeding ten horsepower may be operated only when permitted by rule and the rule shall not authorize such use during the period beginning on the Friday before Memorial Day and ending on Labor Day inclusively. This paragraph does not limit motorboat horsepower on natural lakes under the custody of the department or limit the department's authority to establish special speed zoning regulations.

Sec. 2. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 1, 1997

CHAPTER 92

MOTOR VEHICLE LICENSES FOR UNDERCOVER OFFICERS

S.F. 229

AN ACT relating to the issuance of motor vehicle licenses for certain law enforcement officers and providing penalties, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 22.7, Code 1997, is amended by adding the following new subsection: **NEW SUBSECTION.** 37. Records of a law enforcement agency or the state department of transportation regarding the issuance of a motor vehicle license under section 321.189A.

Sec. 2. **NEW SECTION.** 321.189A MOTOR VEHICLE LICENSE FOR UNDERCOVER LAW ENFORCEMENT OFFICERS — FEE — PENALTIES.

1. The department may issue undercover motor vehicle licenses to certified peace officers employed by a local authority or by the state or federal law enforcement officers for use in the line of duty when a fictitious identity is necessary. The department, in cooperation with the commissioner of public safety, shall adopt rules pursuant to chapter 17A regarding the issuance, use, and cancellation of licenses issued pursuant to this section.

2. A license issued pursuant to this section shall only be issued to a certified peace officer or federal law enforcement officer, who is qualified to obtain the class of license sought, at the request of the law enforcement agency employing the officer for official use when the officer is involved in duty in which a fictitious identity is necessary. An officer issued a license pursuant to this section shall surrender the license when the license is no longer needed.

3. a. A license issued pursuant to this section shall only be used in the line of duty when it is necessary for the officer holding the license to assume a fictitious identity. An officer issued a license pursuant to this section shall report as soon as practical to the law enforcement agency employing the officer any traffic citation issued to the officer while using the officer's fictitious identity.

b. An officer using a license issued under this section shall not be prosecuted for a public offense under this chapter if the offense was committed in the line of duty and was necessary to protect the identity of the officer. However, this paragraph shall not apply to a violation of subsection 4, paragraph "a".

4. a. An officer who provides the department false information for the purposes of obtaining a license under this section commits a class "D" felony.

b. An officer who displays or uses a license issued pursuant to this section during the commission or attempted commission of a public offense other than a public offense referred to in subsection 3 or who knowingly permits another person to use the license issued under this section commits a class "D" felony.

c. An officer who displays or uses a license issued pursuant to this section in any manner which is not a public offense but which is not authorized under this section or who knowingly fails or refuses to surrender the license upon demand by the department commits an aggravated misdemeanor.

5. The fee for issuing a license under this section shall be the same as for licenses issued pursuant to section 321.189.

6. The department shall keep as confidential public records under section 22.7, all records regarding licenses issued under this section.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 1, 1997

CHAPTER 93

HEALTH FACILITIES AND SERVICES — CERTIFICATE OF NEED PROGRAM

S.F. 236

AN ACT relating to the certificate of need program.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 135.61, subsection 14, Code 1997, is amended to read as follows:

14. "Institutional health facility" means any of the following, without regard to whether the facilities referred to are publicly or privately owned or are organized for profit or not or whether the facilities are part of or sponsored by a health maintenance organization:

a. A hospital.

b. A health care facility.

~~e. A kidney disease treatment center, including any freestanding hemodialysis unit but not including any home hemodialysis unit.~~

d c. An organized outpatient health facility.

e d. An outpatient surgical facility.

f e. A community mental health facility.

g f. A birth center.